

**BOARD OF PSYCHOLOGY**

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**Board of Psychology  
Quarterly Meeting****OPEN SESSION MINUTES****Mission Inn, Riverside****May 12, 2000**

The open session meeting was called to order by Judith Janaro Fabian, Ph.D., President of the Board of Psychology at 10:00 am.

**Present were:**

Judith Janaro Fabian, Ph.D., President  
Marty Greenberg, Ph.D., Vice President  
Emil Rodolfa, Ph.D.  
Pamela Harmell, Ph.D.  
Lisa Kalustian  
Mary McMillan  
Mary Ellen Early

**Others Present:**

Thomas, O'Connor, Executive Officer  
Dan Buntjer, Legal Counsel  
Suzanne Taylor, Assistant Executive Officer  
Jeff Thomas, Project Coordinator  
Kathi Burns, Enforcement Analyst  
Lavinia Snyder, Licensing Analyst

**Agenda Item # 1 - Committee Meetings**

The Credentials Committee, Examination Committee, Enforcement Committee, Legislation Committee, and Consumer Education Committee met to discuss their issues and to formulate recommendations to the Board.

Open session adjourned at 12:00 noon.

**OPEN SESSION MINUTES**  
**Saturday, MAY 13, 2000**

The open session meeting was called to order by Judith Janaro Fabian, Ph.D. at 9:00 am.

**Present were:**

Judith Janaro Fabian, Ph.D., President  
Marty Greenberg, Ph.D., Vice President  
Emil Rodolfa, Ph.D.  
Pamela Harmell, Ph.D.  
Lisa Kalustian  
Mary McMillan  
Mary Ellen Early

**Others Present:**

Thomas, O'Connor, Executive Officer  
Dan Buntjer, Legal Counsel  
Suzanne Taylor, Assistant Executive Officer  
Jeff Thomas, Project Coordinator  
Kathi Burns, Enforcement Analyst  
Lavinia Snyder, Licensing Analyst

**Agenda Item # 7 - Approval of November 4, 1999 Open Session Minutes**

M(Ms. Kalustian)/S(Dr. Rodolfa)/C to approve the November 14, 1999 open session minutes.

Vote: 7-0

**Agenda Item # 8 - Approval of the January 7, 2000 Open Session Minutes**

M(Dr. Greenberg)/S(Dr. Rodolfa)/C to approve the January 7, 2000 open session minutes with minor corrections.

Vote: 7-0

**Agenda Item # 9 - Approval of the March 3&4, 2000 Open Session Minutes**

M(Dr. Harmell)/S(Ms. McMillan)/C to approve the March 3, 2000 open session minutes.

Vote: 7-0

M(Ms. Early)/S(Dr. Rodolfa)/C to approve the March 4, 2000 open session minutes with minor corrections.

Vote: 7-0

## **Agenda Item # 10 - President's Report – Dr. Judith Janaro Fabian**

### **a. Correspondence**

Dr. Fabian reported that the Board received two pieces of correspondence that complimented the Board's excellent level of service. In addition, Mr. Thomas O'Connor, Executive Officer of the Board of Psychology, sent a letter of thanks to Mr. Randolph P. Reaves, Executive Officer of the Association of State and Provincial Psychology Boards, for his participation at the CPA convention.

### **b. CPA Convention-Standards of Care Panel**

On March 24, 2000, Dr. Fabian and Mr. O'Connor attended the CPA convention and participated on a panel entitled *Standards of Care*. Additionally, the Board held a training seminar for its enforcement expert reviewers at the convention.

### **c. CA Mental Health Planning Council Meeting**

Dr. Fabian and Mr. O'Connor attended the California Mental Health Planning Council meeting from March 13<sup>th</sup> through the 15<sup>th</sup>, in Berkeley, California. They participated on a committee that dealt with licensing and regulation.

### **d. Other Post-Agenda Items for Discussion**

A study of child custody complaints handled by the Board was conducted by staff. The study found that during the period of April 1999 through March 2000, 104 complaints specifically dealing with child custody issues were received by the Board, 10 investigations were opened, 2 were referred to the Attorney General's Office and no disciplinary decisions were rendered.

## **Agenda Item # 11 - Executive Officer's Report – Mr. Thomas O'Connor**

### **a. Staff Update**

Ms. Barbara Sherwin no longer works for the Board. Ms. Diana Crosby was hired as her replacement. Ms. Crosby began on May 15, 2000.

### **b. Budget Update**

The Board of Psychology's budget for the next fiscal year went through the Assembly and Senate budget hearings on consent.

In addition, staff is in the process of preparing five budget change proposals: 1) to increase staff to enhance the licensing and exam program; 2) to increase the exam fee imposed by ASPPB as of July 1, 2001; 3) to enhance exam development; 4) to increase budget line item for exam site rental and 5) to increase budget line item for examiner per diem.

### **c. Other Post-Agenda Items for Discussion**

Mr. O'Connor is scheduled to attend the ASPPB Education and Training Committee in New Orleans on August 17-20, 2000. As a result, he will be unavailable to attend the August 2000 Board meeting.

The Strategic Planning session is scheduled for December 6<sup>th</sup> through the 8<sup>th</sup> at Asilomar, Pacific Grove. Details of the meeting will be provided in the near future.

Additionally, Mr. O'Connor prepared a draft report to the legislature in response to Section 2960 of the Business and Professions Code, which requires the Board to study and report on the efficacy of Section 2960(o). Dr. Fabian complimented Mr. O'Connor for a job well done on the report. Ms. McMillan requested a copy of the report once it is finalized. Mr. O'Connor advised the Board that he would send them each a copy of the final document being sent to the legislature.

M(Ms. Early)/S(Ms. McMillan)/C to approve the report being sent to the legislature.

Vote: 7-0

### **Agenda Item # 12 - Legal Counsel's Report – Mr. Dan Buntjer**

#### **a. HIPDB - Federal Data Bank**

In 1996 the Federal government passed a law that required state licensing agencies to report all disciplinary actions to the Department of Health and Human Services. However, regulations describing the reporting guidelines did not exist at that time. In October of 1999, regulations were adopted and as a result State Boards have begun the process to report all disciplinary actions retroactively to 1996.

Ms. Suzanne Taylor, Assistant Executive Officer, submitted an application for an access code in order to report this Board's disciplinary actions and to access other States' disciplinary actions.

#### **b. Livescan**

Livescan is an automated fingerprinting process that allows the transmittal of fingerprints electronically. The response time for a report to be returned to the Board is approximately five working days. However, the Department of Justice has several issues that need to be addressed before Livescan can be implemented for DCA Boards. The Director of the Department of Consumer Affairs has formed a task force to deal with these issues to hopefully expedite implementation. Mr. O'Connor is on the task force.

### **c. Other Post-Agenda Items for Discussion**

None

### **Agenda Item # 13 - Regulation Update – Mr. Jeff Thomas**

#### **a. Supervision Regulations**

The final Order of Adoption of the Supervision Regulations was submitted to the Department of Consumer Affairs for review and will be submitted to the Office of Administrative Law (OAL) by mid-June. If approved by these agencies the regulations will become effective as of January 1, 2001. Dr. Fabian thanked Dr. Rodolfa, Mr. O'Connor and Mr. Thomas for their work on this regulation package.

**b. Other Post-Agenda Items for Discussion**

None

**Agenda Item # 14 - Continuing Education Update – Mr. Jeff Thomas**

**a. Accrediting Agency Audit Update**

Dr. Greenberg, Dr. Rodolfa and Mr. Thomas are still in the process of reviewing the information previously obtained from the accrediting agency. They plan to have a report by the August 2000 Board meeting.

**b. Continuing Education Statistics**

Mr. Thomas reported that only 7% of licensees with a January 2000 renewal date were non-compliant with continuing education requirements, which is substantially lower than the statistics for the April 1999 renewal period (21%). The lower percentage is attributed to the Board's education efforts and the issuance of citations and fines to those licensees who are CE deficient.

**c. Other Post-Agenda Items for Discussion**

None

**Agenda Item # 15 - Credentials Committee Report - Dr. Emil Rodolfa**

**a. Other Post-Agenda Items for Discussion**

M/S (Credential Committee)/C to waive the Human Sexuality requirement for Dr. Andrea Molberg.

Vote 7:0

M/S (Credential Committee)/C to deny exemption for Child Abuse requirement for Dr. Andrea Molberg.

Vote: 7-0

**Agenda Item # 16 - Examination Committee Report – Dr. Martin Greenberg**

**a. Commissioner Exit Survey Results**

Overall, the commissioner responses in the exit survey were found to be favorable.

**b. Request for Waiver of EPPP – Marion Solomon, PHD**

M/S (Examination Committee)/C to deny Dr. Marion Solomon's request for waiver of EPPP.

Vote: 7-0

**c. Other Post-Agenda Items for Discussion**

The Board received a letter from Dr. Joseph Rosner requesting feedback on the written jurisprudence exam. Historically, the Board has not provided feedback on the written examinations but will provide scoring feedback on the oral examination. Dr. Martin Greenberg, Vice President of the Board of Psychology, stated that it may be possible to provide the same type of feedback on the written jurisprudence exam, however, further discussion is needed with the Office of Examination Resources to determine what type of feedback may be possible.

**Agenda Item # 17 - Enforcement Committee Report – Ms. Suzanne Taylor and Ms. Kathi Burns**

**a. Enforcement Statistics**

The significant item for fiscal year 99/00 statistics is the increase in the number of citations that have been issued. The increase in citations is a direct result of continuing education deficiencies.

**b. March 24, 2000 Expert Training**

Staff explained that an expert reviewer training session was held at the CPA convention in March 2000. The training included presentations from Mr. Randolph P. Reaves, Executive Officer of the ASPPB and from Susan Meadows, Deputy Attorney General.

**c. Expert Nominations**

The Enforcement Committee approved one nominee to serve as an enforcement expert.

**d. Probation Monitoring Program Update**

There are currently only 44 licensees actively serving a probationary period. Each probationer will be interviewed twice a year by two staff members of the Board at general locations throughout the State. Each probationer is responsible for the cost associated with the monitoring of their probation. Staff determined that the annual cost involved in running the probation program for each probationer is \$2,100.00. Each probationer is required to pay the fee in one lump sum or \$175.00 per month. This fee is slightly less than that of the Medical Board. (\$2,348.00 per probationer/year).

**e. Mail Vote Sheet**

Regarding the policy on the use of mail votes for voting on proposed decisions and stipulations, the Enforcement Committee recommends the following: 1) a two-week period in which members must vote, rather than the current 30-day period; 2) the term “discuss” will be replaced with the term “hold”; and 3) two holds will result in the case being “held” and brought to the next Board meeting for discussion.

M/S(Enforcement Committee)/C to support the proposed changes/C.

Vote: 7:0

**f. Petition Process Training**

Ms. Taylor and Ms. Burns are currently working with the Attorney’s General office to train Deputy Attorney’s General on how best to handle petition for penalty relief hearings.

**g. Closed Cases – Statute of Limitation**

Currently, it is the Board’s policy to keep closed complaint files indefinitely. However, due to the new statute of limitations law, the Enforcement Committee recommends that the Board conform to the Medical Board’s policy of keeping closed case files for just five years.

M/S(Enforcement Committee)/C to support the proposed changes/C.

Vote: 7-0

**h. Other Post-Agenda Items for Discussion**

None

**Agenda Item # 18 - Legislation Committee Report – Ms. Mary McMillan**

**a. Senate Bill 1748 (Perata)**

The Board discussed the bill and will continue to WATCH.

**b. Assembly Bill 1800 (Thompson)**

The Board discussed the bill and will continue to WATCH.

**c. Assembly Bill 1975 (Romero)**

The Board discussed the bill and will continue to WATCH.

**d. Assembly Bill 400 (Lempert)**

This is a two-year bill with no new amendments. The Board took a support position in August 1999.

**e. Senate Bill 1554 (B&P Committee)**

The Legislation Committee recommends that the Board take a position to SUPPORT Senate Bill 1554, which contains the Board's proposed language.

M/S(Legislation Committee)/C to support Senate Bill1554.

Vote: 7-0

**f. Other Post-Agenda Items for Discussion**

None

**Agenda item # 19 - Consumer Education Committee Report – Ms. Mary Ellen Early**

**a. BOP Update VIII**

The publication of the BOP Update VIII is anticipated for the end of the current year.

**b. Website Update and Statistics**

The Board is working with the Department of Consumer Affairs to update its website to conform to the Governor's website guidelines. It is expected to be operational soon.

In addition, the number of inquiries to the site has dramatically increased since the Board went on-line. The last week of April, the number of inquiries increased approximately 33% as compared to previous weeks. The increase in inquiries may have been due to the on-line verification of licensure, which became available that same week.

**c. On-Line Verification of Licensure**

The on-line license verification was operational as of April 28,2000. This will allow consumers to verify the status of psychology licenses.

**d. Other Post-Agenda Items for Discussion**

None

**Agenda Item # 20 - Election of Officers**

**a. President**

M(Dr. Fabian)/S (Dr. Rodolfa) C/ to nominate Dr. Martin Greenberg for the Office of President

Vote: 7-0

**b. Vice-President**

M(Dr. Greenberg)/S (Dr. Fabian)C/ to nominate Dr. Emil Rodolfa for the Office of Vice President



Vote: 7-0

**c. Secretary**

Mr. Dan Buntjer, Legal Counsel, has advised the Board that a staff person may sit in with the Board during closed sessions specifically to take minutes. Therefore the office of “Secretary” can be eliminated since it is not statutorily mandated.

Dr. Greenberg took this opportunity to thank Dr. Fabian for all her commitment, hard work and dedication to the Board of Psychology and commitment to consumers of psychological services.

**Agenda Item # 21 - Public Comment**

Dr. Jessica Nameth from the University of San Diego, School of Law thanked Dr. Greenberg and Mr. O’Connor for participating in the simulation workshop at the Center for Public Interest Law in April.

Meeting adjourned at 10:38 a.m.

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Judith Janaro Fabian, Ph.D.  
President

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Date

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Martin Greenberg, Ph.D.  
Vice-President

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Date